

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF ALASKA

3 THE UNITED STATES for the use of)
 4 GMW Fire Protection, Inc., an Alaska)
 Corporation,)
 5 Plaintiff,)
 6)
 7 vs.)
 8 KANAG'IQ CONSTRUCTION CO.,)
 9 INC., an Alaska Corporation, and)
 WESTERN SURETY COMPANY, a)
 10 South Dakota Corporation,)
 11 Defendants.) Case No. A05-170 CI (TMB)
 12)

MOTION AND MEMORANDUM FOR STAY OF EXECUTION OF JUDGMENT

13 Pursuant to Federal Civil Rule 62(b)(3), Defendants, KANAG'IQ CONSTRUCTION
 14 CO., INC. and WESTERN SURETY COMPANY, by and through their attorneys, Eide &
 15 Gingras, P.C., request that the Court stay any execution of judgment until the resolution of
 16 pending motion practice before the Court that may affect the judgment.
 17

18 On July 7, 2008, Defendants filed two Motions to Alter or Amend a Judgment. The
 19 Court's decision on those motions may affect the judgment against Western Surety and/or
 20 Kanag'Iq. Absent an order from the Court granting a stay of execution of the judgment
 21 until the pending motions are ruled upon, Plaintiff may otherwise proceed to execute
 22 against the judgment as of today, July 7, 2008.
 23

24
 25
 Eide & Gingras, P.C.
 425 G Street, Suite 930
 Anchorage, Alaska 99501
 (907) 279-0930 telephone
 (907) 279-0933 fax

1 Therefore, Defendants respectfully request the Court to stay any execution of
2 judgment until the Court rules upon the pending motions before it. Because of the time
3 constraint described above, Defendants further request a decision by the close of business
4 today, or as soon thereafter as possible.

5 DATED at Anchorage, Alaska this 7th day of July, 2008.
6

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
EIDE & GINGRAS, P.C.
Attorneys for Defendants
Kanag'Iq Construction Co., Inc. and
Western Surety Company

By: s/Thomas S. Gingras
Thomas S. Gingras
425 G Street, Suite 930
Anchorage, AK 99501
Phone: (907) 279-0930
Fax: (907) 279-0933
E-mail: tsgingras@egpalaska.com
Alaska Bar No. 7811098

CERTIFICATE OF SERVICE

I am a legal secretary employed by the law
firm of Eide & Gingras, P.C. That on this
7th day of July, 2008, I served

[x] Electronically

a true and accurate copy of the foregoing
document upon the following counsel of record:

Sarah J. Tugman, Esq.
2509 Eide Street, Suite 4
Anchorage, AK 99503

EIDE & GINGRAS, P.C.

By /s/Donna Charter

F:\431\05\Post-Trial Documents\Motion for Stay Mot II.DOC